

FIRST REGULAR SESSION

# HOUSE BILL NO. 981

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE FRANKLIN.

2103H.01I

D. ADAM CRUMBLISS, Chief Clerk

## AN ACT

To repeal section 320.151, RSMo, and to enact in lieu thereof one new section relating to the use of fireworks.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 320.151, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.151, to read as follows:

320.151. 1. It is unlawful to attempt to sell or to sell at retail any fireworks to children under the age of fourteen years except when such child is in the presence of a parent or guardian.

2. It is unlawful for any person under the age of sixteen to sell fireworks or work in a facility where fireworks are stored, sold, or offered for sale unless supervised by an adult.

3. It is unlawful to explode or ignite consumer fireworks within six hundred feet of any church, hospital, mental health facility, school, or within one hundred feet of any location where fireworks are stored, sold, or offered for sale. **Any person who obtains approval from the church secretary of any affected church, in writing, to explode or ignite fireworks within six hundred feet of the church at least twenty-four hours in advance of the time of the explosion or ignition shall not be in violation of this subsection.**

4. No person shall ignite or discharge any permissible articles of consumer fireworks within or throw the same from a motorized vehicle including watercraft or any other means of transportation, except where display permit has been issued for a floating vessel or floating platform, nor shall any person place or throw any ignited article of fireworks into or at a motorized vehicle including watercraft or any other means of transportation, or at or near any person or group of people.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17           5. No person shall ignite or discharge consumer fireworks within three hundred feet of  
18 any permanent storage of ignitable liquid, gases, gasoline pump, gasoline filling station, or any  
19 nonpermanent structure where fireworks are stored, sold or offered for sale.

20           6. No items of explosive or pyrotechnic composition other than fireworks as defined by  
21 subdivisions (3), (5), and (17) of section 320.106 shall be displayed, sold, or offered for sale  
22 within the applicable permit location as identified on such permit granted by the state fire  
23 marshal.

24           7. Proximate fireworks shall not be allowed to be stored with consumer fireworks.

25           8. All storage and transportation of fireworks shall be in accordance with all federal and  
26 state rules and regulations.

27           9. Nothing in sections 320.106 to 320.161 shall be construed to prevent permittees from  
28 demonstrating or testing fireworks. Any such demonstration or test shall require the notification  
29 and approval of the local fire service or the state fire marshal.

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